

San Jose Mercury News

Editorial: Congress must preserve medical research incentives in quest for health care reform

Mercury News Editorial

Posted: 06/24/2009 08:00:00 PM PDT

Stem-cell research has gotten lots of attention, and billions of dollars, because it could produce treatments and cures for stubborn diseases from Parkinson's to Alzheimer's. But there's another line of biotech research that holds great promise for developing breakthrough drugs.

It's called biologics, and it involves large, complex, genetically engineered molecules. Legislation in Congress could determine whether this research goes forward or stalls in Silicon Valley and other biotech centers.

The issue is essentially patent protection: the length of time companies have to at least try to recover the \$1 billion or more in investment it can take to bring one of these drugs to market. For each biologic breakthrough, other companies are waiting to introduce biosimilars — basically, generics — at lower prices.

The dilemma goes to the heart of President Barack Obama's goal for comprehensive health care reform: Can the nation continue to spark health care innovation at the same time it guarantees access to affordable medical care, including medication? Can it save the billions of dollars a year we know is wasted in the current system without undercutting incentives for excellence?

Health care reform will fail if it stalls research and medical progress. When Congress takes up regulation of biosimilars later this year, it needs to shore up the incentive for promising biologics research.

A bill by Rep. Anna Eshoo, D-Palo Alto, takes the right approach. It's smart, science-based legislation that puts a premium on patient safety and encouraging further innovation. It essentially offers 12 years for companies to recover their investments before others can use their clinical trial and related data to substantiate the safety of a biosimilar.

She has dozens of co-sponsors for the bill, but she's going up against the powerful Democratic Rep. Henry Waxman of Los Angeles, who chairs the House Energy and Commerce Committee that the bill must clear. Waxman would offer just five years' protection and would facilitate making cheaper alternatives. Holding down cost is a worthwhile goal, but these medicines won't exist in the first place if research dries up, or if safety issues crop up with the biosimilars.

Biologics aren't cheap. Treatments involving some cancer-fighting drugs can cost up to \$2,000 a month. But as their use increases and more new drugs come onto the market to attack debilitating diseases, savings will kick in. Medical experts estimate that as the biosimilars come into use, savings could range from \$7-10 billion a year over current costs of these types of medicines.

People want drugs to be less expensive, but they also want to know that if they become seriously ill, they'll have access to the best treatment science can provide. The academic and research communities, biotech companies, venture capitalists and patient safety advocates support Eshoo's legislation, which would maintain the incentive for research. Congress should, too.